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8 Attorneys for Defendant
DATA PROCESSING SYSTEMS, LLC

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 AMBER KRISTI MARSH and STACIE
12 EVANS, individually and on behalf of a
class of similarly situated persons,

13 Plaintiffs,

14 vs.

15 ZAAZOOM SOLUTIONS, LLC, a
16 Delaware Limited Liability Company,
ZAZA PAY LLC, a Delaware Limited
17 Liability Company dba DISCOUNT WEB
MEMBER SITES, LLC, Unlimited Local
18 Savings LLC, WEB DISCOUNT CLUB,
WEB CREDIT REPT. CO.,
19 MEGAONLINECLUB, LLC, and
RAISEMONEY FOR ANYTHING;
20 MULTIECOM, LLC, a Colorado Limited
Liability Company dba ONLINE
21 DISCOUNT MEMBERSHIP, WEB
DISCOUNT COMPANY, and LIBERTY
22 DISCOUNT CLUB; ONLINE
RESOURCE CENTER, LLC, a Delaware
23 Limited Liability Company dba Web
Coupon Site, USAVE COUPON, and
24 UCLIP, MOE TASSOUDJI, an individual,
BILL CUEVAS, an individual, FIRST
25 BANK OF DELAWARE, a Delaware
Corporation; FIRST NATIONAL BANK
26 OF CENTRAL TEXAS, a Texas
Corporation; SUNFIRST BANK, a Utah
27 Corporation; JACK HENRY &
ASSOCIATES, INC., a Delaware
28 Corporation dba PROFITSTARS;

Case No. CV-11-5226 (YGR)
San Francisco County Superior Court
Case No. CGC-11-510815

**DATA PROCESSING SYSTEMS,
LLC'S NOTICE OF
ADMINISTRATIVE MOTION AND
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE JOINDER IN
PENDING MOTIONS PURSUANT TO
L.R. 7-11**

Complaint Filed: May 9, 2011
Trial Date: None Set

1 AUTOMATED ELECTRONIC
2 CHECKING, INC., a Nevada Corporation;
3 DATA PROCESSING SYSTEMS, LLC, a
Delaware Limited Liability Company and
DOES 1-10, inclusive,

4 Defendants.

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6 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
7 RECORD:

8 PLEASE TAKE NOTICE that defendant Data Processing Systems, LLC
9 ("DPS") hereby administratively moves pursuant to Civil Local Rule 7-11 for leave to join:

- 10 1. the pending motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) and (6)
11 filed by defendants Zaazoom Solutions, LLC, Zaza Pay LLC, and Automated
12 Electronic Processing Systems, Inc., in its entirety, and
- 13 2. the pending motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) or, in the
14 alternative, for a more definite statement pursuant to Fed. R. Civ. P. 12(e)
15 filed by defendant First Bank of Delaware, with respect to its argument
16 regarding plaintiff's third claim for relief (violation of Electronic
17 Communications Privacy Act, 18 U.S.C. § 2510, *et seq.*),

18 both of which are set for hearing on February 28, 2012. DPS files this administrative
19 motion pursuant to the Court's instructions at the February 8, 2012 case management
20 conference. *See* Dkt. #81 (Minute Entry: Initial Case Management Conference). This
21 motion is made on the grounds that the Local Rules do not otherwise provide for filing a
22 joinder after a motion has been fully briefed.

23 This administrative motion is based on this notice of administrative motion
24 and administrative motion, all of the pleadings and records in this action, and such other
25 written and/or oral material as DPS may present at or prior to any hearing before this Court.

1 Dated: February 13, 2012

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

3
4 By /s/ Neil A.F. Popović

5 NEIL A.F. POPOVIĆ

6 MEREDITH A. JONES-McKEOWN

7 LAI L. YIP

8 Attorneys for Defendant
9 DATA PROCESSING SYSTEMS, LLC
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